

0002

Canyon Fuel Company, LLC
Dugout Canyon Mine
P.O. Box 1029
Wellington, Utah 84542



March 1, 2007

Refer to Expandable 03012007
file in C0070034 2007 Incoming
for additional information

*Incoming
C/007/0034
Task #2760*

Ms. Pamela Grubaugh-Littig
Department of Natural Resources
Division of Oil, Gas and Mining
1594 West North Temple
Suite 1210
Salt Lake City, UT 84114-5801

RE: 2006 Midterm Permit Review, Task # 2619, Canyon Fuel Company, LLC,
Banning Loadout, C/007/034

Dear Ms. Grubaugh-Littig:

Enclosed please find four copies of revisions to the Banning M&RP to address deficiencies associated with the Midterm Permit Review.

R645-301-526 The narrative, Table 5-1 and Exhibit 5-2 have been revised to reflect the current status of the facilities at Banning Loadout.

R645-301-731 & 751 Proof of the updated UPDES permit has been provided for inclusion into Appendix 7-4. The UPDES permit at Banning is a general permit and is therefore generic, the requirements of the general permit are likely identical to those currently in Appendix 7-4 and therefore have not be duplicated.

R645-301-742.332 Refer to Section 742.312 for the narrative associated with the 24-inch culvert. Addition information concerning the culvert has been provided for inclusion in Appendix 7-9.

R645-301-742.330 The watershed map has been provided for inclusion in Appendix 5-3.

R645-301-742.100 The text has been revised in Section 742.100 and various locations within Chapter 7 and Exhibit 7-1 has been revised. ASCA 1 calculations have been provided for inclusion into Appendix 7-9.

R645-301-742.240 Small Area Exemption #1 has been removed from the M&RP and Exhibit 7-1 has been updated to show the current site layout that includes the removal of the substation area from the permit area.

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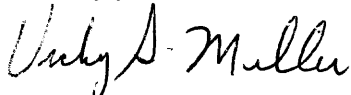
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Midterm Permit Review

R645-301-830 The reclamation cost estimates have been revised and included to replace the current estimates in Appendix 8-1.

An additional copy of the submittal has been delivered to the Price Field Office. Please contact Vicky Miller at (435) 636-2869, if there are any questions concerning this submittal.

Sincerely yours,

A handwritten signature in cursive script, reading "Vicky S. Miller".

Vicky S. Miller

Cc: Dave Spillman (enclosures)
Price Field Office (enclosures)

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change ☒ New Permit ☐ Renewal ☐ Exploration ☐ Bond Release ☐ Transfer ☐

Permittee: Canyon Fuel Company, LLC

Mine: Banning Loadout

Permit Number: C/007/034

Title: 2006 Midterm Permit Review- Task ID # 2619

Description, Include reason for application and timing required to implement:

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- ☐ Yes ☒ No 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ ☐ increase ☐ decrease.
- ☐ Yes ☒ No 2. Is the application submitted as a result of a Division Order? DO# _____
- ☐ Yes ☒ No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- ☐ Yes ☒ No 4. Does the application include operations in hydrologic basins other than as currently approved?
- ☐ Yes ☒ No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- ☐ Yes ☒ No 6. Does the application require or include public notice publication?
- ☐ Yes ☒ No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- ☐ Yes ☒ No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- ☐ Yes ☒ No 9. Is the application submitted as a result of a Violation? NOV # _____
- ☐ Yes ☒ No 10. Is the application submitted as a result of other laws or regulations or policies?
- Explain: _____
- ☐ Yes ☒ No 11. Does the application affect the surface landowner or change the post mining land use?
- ☐ Yes ☒ No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- ☐ Yes ☒ No 13. Does the application require or include collection and reporting of any baseline information?
- ☐ Yes ☒ No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- ☐ Yes ☒ No 15. Does the application require or include soil removal, storage or placement?
- ☐ Yes ☒ No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- ☒ Yes ☐ No 17. Does the application require or include construction, modification, or removal of surface facilities?
- ☒ Yes ☐ No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- ☒ Yes ☐ No 19. Does the application require or include certified designs, maps or calculation?
- ☐ Yes ☒ No 20. Does the application require or include subsidence control or monitoring?
- ☒ Yes ☐ No 21. Have reclamation costs for bonding been provided?
- ☐ Yes ☒ No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- ☐ Yes ☒ No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations herein.

Print Name

Sign Name, Position, Date

Subscribed and sworn to before me this 1 day of MARCH, 2007

Notary Public

My commission Expires:

Attest: State of UTAH } ss:
County of CARBON



VICKY SUE MILLER
NOTARY PUBLIC - STATE OF UTAH
1776 KENILWORTH RD.
HELPER, UTAH 84526
COMM. EXPIRES 1-5-2008

For Office Use Only:

Assigned Tracking
Number:

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APPLICATION FOR COAL PERMIT PROCESSING

Detailed Schedule Of Changes to the Mining And Reclamation Plan

Permittee: Canyon Fuel Company, LLC

Mine: Banning Loadout

Permit Number: C/007/034

Title: 2006 Midterm Permit Review - Task ID # 2619

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED

[illegible]

Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.

3/1/07

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